

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DYLAN OTTMERS,

Plaintiff,

v.

SPEEDY CASH

Defendant.

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Cause No. 1:19-cv-929-JRN

**DEFENDANT SPEEDY CASH'S
MOTION TO COMPEL ARBITRATION AND TO DISMISS THE ACTION**

COMES NOW, Defendant Speedy Cash (“Defendant”) and files this motion to compel arbitration and to dismiss this action with prejudice or, in the alternative, to stay the action pending arbitration.

Under the Federal Arbitration Act (9 U.S.C. § 1, et seq.), and in accordance with the arbitration clause contained in the parties’ agreement, Plaintiff Dylan Ottmers (“Plaintiff”) is required to submit his claims to binding arbitration. Because the claims must be submitted to arbitration, the Court should dismiss this action with prejudice, or alternatively, stay this action pending arbitration.

For the reasons outlined above and detailed in the corresponding Memorandum in Support of the Motion, Defendant respectfully asks the Court to compel arbitration and to dismiss this case with prejudice.

Counsel for Plaintiff has indicated that she is *not opposed* to staying the case pending arbitration, but is *opposed* to the dismissal of the case with prejudice.

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

By: 
SAM K. ARORA
Texas Bar No: 24034287
NICHOLAS J. NIETO
Texas Bar No: 24098179
700 Louisiana Street, Suite 4300
Houston, Texas 77002
Telephone: (281) 809-4100
Facsimile: (281) 829-0787
Email: sarora@kilpatricktownsend.com
Email: nnieto@kilpatricktownsend.com

**ATTORNEYS FOR DEFENDANT
SPEEDY CASH**

CERTIFICATE OF CONFERENCE

I hereby certify that on November 14, 2019, I conferred with counsel for Dylan Ottmers regarding this motion to compel arbitration and motion to dismiss (the "Motion"). Counsel for Dylan Ottmers stated that she is *unopposed* to staying the case pending arbitration, but is *opposed* to the dismissal of the case with prejudice.


Nicholas J. Nieto

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of November, 2019, the foregoing document was served upon the following parties via the Court's CM/ECF System pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Court:

Email: jbarton@lemborglaw.com

Email: slemborg@lemborglaw.com

Jody B. Burton

Sergei Lemberg

LEMBERG LAW LLC

43 Danbury Road, 3rd floor

Wilton, CT 06897

Attorneys for Plaintiff



Nicholas J. Nieto